



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,972	03/07/2002	Klaus Kursawe	CH920000068US1	9293

877 7590 05/05/2005

IBM CORPORATION, T.J. WATSON RESEARCH CENTER  
P.O. BOX 218  
YORKTOWN HEIGHTS, NY 10598

EXAMINER
----------

ALPERT, JAMES M

ART UNIT	PAPER NUMBER
----------	--------------

3624

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/683,972

Applicant(s)

KLAUSE KURSAWE

Examiner

James Alpert

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This communication is in response to Applicant's amendment filed on 05/28/2004.

#### *Response to Amendment*

The reply filed on 09/14/2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

1. Claim 1 does not indicate where the letter Z in parenthesis, "(Z)", was previously indicated, and is now deleted, as currently amended (3 uses).

Claim 1 does not indicate where the letter a in parenthesis, "(a)", was previously indicated, and is now deleted, as currently amended (2 uses).

Claim 1 does not indicate where the letter n in parenthesis, "(n)", was previously indicated, and is now deleted, as currently amended (1 use).

2. Claim 2 does not indicate where the letter Z in parenthesis, "(Z)", was previously indicated, and is now deleted, as currently amended (2 uses).
3. Claim 7 does not indicate where the letter Z in parenthesis, "(Z)", was previously indicated, and is now deleted, as currently amended (2 uses).
4. Claim 9 is labeled as "Original" when in fact it should be labeled "Currently Amended", in that the letter Z in parenthesis, "(Z)", has been deleted.
5. Claim 10 does not indicate where the letter Z in parenthesis, "(Z)", was previously indicated, and is now deleted, as currently amended (2 uses).
6. Claim 11 does not indicate where the letter Z in parenthesis, "(Z)", was previously indicated, and is now deleted, as currently amended (3 uses).

Claim 11 does not indicate where the letter a in parenthesis, "(a)", was previously indicated, and is now deleted, as currently amended (2 uses).

Claim 11 does not indicate where the letter n in parenthesis, "(n)", was previously indicated, and is now deleted, as currently amended (1 use).

Art Unit: 3624

7. Claim 12 does not indicate where the letter Z in parenthesis, "(Z)", was previously indicated, and is now deleted, as currently amended (2 uses).

Claim 12 does not indicate where the letter a in parenthesis, "(a)", was previously indicated, and is now deleted, as currently amended (2 uses).

Claim 12 does not indicate where the letter n in parenthesis, "(n)", was previously indicated, and is now deleted, as currently amended (1 use).

8. Claim 13 does not indicate where the letter Z in parenthesis, "(Z)", was previously indicated, and is now deleted, as currently amended (3 uses).

Claim 13 does not indicate where the letter a in parenthesis, "(a)", was previously indicated, and is now deleted, as currently amended (2 uses).

Claim 13 does not indicate where the letter n in parenthesis, "(n)", was previously indicated, and is now deleted, as currently amended (1 use).

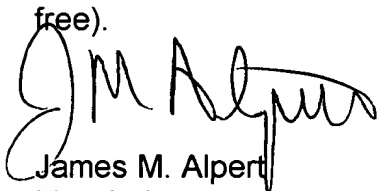
### ***Conclusion***

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Alpert whose telephone number is (571) 272-6738. The examiner can normally be reached on M-F 9:30-6:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-0315.

Art Unit: 3624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
James M. Alpert  
May 2, 2005

  
ALAIN L. BASHORE  
PRIMARY EXAMINER